

**MEETING AGENDA OF THE
MOUNTAIN BROOK CITY COUNCIL**

**CITY HALL COUNCIL CHAMBER (ROOM A108)
56 CHURCH STREET, MOUNTAIN BROOK, AL 35213**

MARCH 25, 2019, 7:00 P.M.

1. Blountsville Fire District Chief Sam Johnson to address the elected officials.
2. Donate Life proclamation.
3. Approval of the minutes of the March 11, 2019, regular meeting of the City Council.
4. Approval of the minutes of the March 20, 2019, special meeting of the City Council.
5. Consideration: Resolution reappointing Lynn Ritchie to the Villages Design Review Committee, to serve without compensation, the term to end March 25, 2022.
6. Consideration: Resolution authorizing the City's participation in the 2019 "State of Alabama Sales Tax Holiday" beginning at 12:01 a.m. on Friday, July 19, 2019, and ending at twelve midnight on Sunday, July 21, 2019, the City of Mountain Brook whereby the City shall exempt certain school supplies, computers, and clothing from municipal sales or use tax.
7. Consideration: Resolution recommending to the State of Alabama, Alcoholic Beverage Control Board, the issuance of a 040 – Restaurant Retail Beer (On or Off Premises) and 060 – Retail Table Wine (On or Off Premises) licenses to Publix Alabama LLC (Trade name: Publix Alabama 1676), 1000 Jemison Lane, Mountain Brook 35223.
8. Consideration: Resolution authorizing the proposed Montrose Circle traffic island improvements.
9. Public hearing: Consideration of an ordinance amending Article X, Chapter 129 of the City Code with respect to permitted uses in the Professional zoning district.
10. Announcement: The next regular meeting of the City Council will be April 8, 2019, at 7:00 p.m. in the Council Chamber of City Hall located at 56 Church Street, Mountain Brook, AL 35213.
11. Announcement: The second regular meeting of the City Council in April shall be moved to Tuesday, April 23, 2019, at 7 p.m. due to the Mountain Brook Board of Education Showcase event scheduled for Monday, April 22, 2019.
12. Comments from residents.
13. Adjourn.

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13. Adjourn.

NATIONAL DONATE LIFE MONTH PROCLAMATION

WHEREAS, 115,000 Americans and 1,800 Alabamians are currently on the national transplant waiting list; and

WHEREAS, another person is added to the waiting list every 10 minutes, and on average, 22 people die every day because the organs they need are not donated in time; and

WHEREAS, the most effective way to address this health crisis is to educate and to encourage citizens to commit to the following actions: register your decision to be an organ, eye and tissue donor in the National Donate Life Registry, RegisterMe.org or LegacyofHope.org or at your local DMV office, and learn more about living donation; and

WHEREAS, the Donate Life cause of saving and healing lives through organ, eye and tissue donation is of such immediate and worthwhile importance that,

NOW, THEREFORE, I, Stewart H. Welch III, Mayor of the City of Mountain Brook, Alabama, do hereby proclaim April 2019 as

DONATE LIFE MONTH

In Mountain Brook, Alabama we honor all who have given the gift of life, we focus our efforts on the extreme need for organ and tissue donors, and we encourage residents to designate their donation decision and share the decision to donate with family members.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Mountain Brook to be affixed the 25th day of March of the year of our Lord 2019 and of the Independence of the United States of America, the 243rd.

Stewart H. Welch III, Mayor

**MOUNTAIN BROOK CITY COUNCIL
PRE-MEETING DISCUSSION
MARCH 11, 2019**

The City Council of the City of Mountain Brook, Alabama met in public session in the Pre-council Room (A106) of City Hall at 6:00 p.m. on the 11th day of March, 2019. The Council President called the meeting to order and the roll was called with the following results:

Present: Virginia C. Smith, Council President
William S. Pritchard III, Council President Pro Tempore
Philip E. Black
Lloyd C. Shelton
Alice B. Womack
Stewart Welch III, Mayor

Absent: None

Also present were City Attorney Steve Stine, City Manager Sam Gaston and City Clerk Steven Boone.

1. AGENDA

1. Revised Flood Damage Prevention Ordinance—Steve Stine (Appendix 1). (The ordinance is expected to be finalized in the next 7-10 days. A special meeting shall be convened in order for the City Council to consider the proposed ordinance before the March 21, 2019 deadline.)
2. Resolution granting a 3-year fiber optics franchise to Verizon Access Transmission Services—Steve Stine (Resolution No. 2019-033 was added to the formal meeting agenda.)
3. Street paving list for 2019—Ronnie Vaughn (Resolution No. 2019-034 was added to the formal meeting agenda.)
4. Review of the matters to be considered at the formal (7 p.m.) meeting

2. EXECUTIVE SESSION

Council Pro Tempore Pritchard made a motion that the City Council convene in executive session to discuss 1) a real estate negotiation, and 2) good name and character. The City Attorney certified that the subject matter of the executive session is permissible under the Open Meetings Act. The motion was seconded by Council President Smith. There being no further discussion, the vote was called with the following results:

Ayes: Virginia C. Smith, Council President
William S. Pritchard III, Council President Pro Tempore
Philip E. Black
Lloyd C. Shelton
Alice B. Womack

Nays: None

Council President Smith thereupon declared that said motion carried by a vote of 5—0.

3. ADJOURNMENT

There being no further matters to be discussed, Council President Smith excused those in attendance at the meeting, announced that the City Council shall reconvene in the Council Chamber upon conclusion of the execution session at 7 p.m. and adjourned the pre-meeting at approximately 6:25 p.m.

4. CERTIFICATION

I, Steven Boone, City Clerk of the City of Mountain Brook, Alabama, certify the above is a true and correct synopsis of the discussion from the work session of the City Council of the City of Mountain Brook, Alabama held at City Hall, Pre-Council Room (A106) on March 11, 2019, and that the meeting was duly called and held in all respects in accordance with the laws of the State of Alabama and bylaws of the City and that no formal action or votes were conducted at said work session.

City Clerk

**MINUTES OF THE REGULAR OF THE
CITY COUNCIL OF THE CITY OF MOUNTAIN BROOK
MARCH 11, 2019**

The City Council of the City of Mountain Brook, Alabama met in public session in the City Hall Council Chamber at 7:00 p.m. on the 11th day of March, 2019. The Council President called the meeting to order and the roll was called with the following results:

Present: Virginia C. Smith, Council President (until approximately 7:15 p.m.)
William S. Pritchard III, Council President Pro Tempore (presided over the meeting from 7:15 p.m. until its adjournment)
Philip E. Black
Lloyd C. Shelton
Alice B. Womack
Stewart Welch III, Mayor

Absent: None

Also present were City Attorney Steve Stine, City Manager Sam Gaston and City Clerk Steven Boone.

The Council President stated that a quorum was present and that the meeting was open for the transaction of business

1. RECOGNITION OF GUESTS

Council President recognized Boy Scouts Sam Fowler of Troop 63, Trey Dowling of Troop 320, and Colton Hearn of Troop 63 all in attendance for the Communications merit badge.

2. CONSENT AGENDA

Council President Smith announced that the following matters will be considered at one time on the consent agenda provided no one in attendance objects:

Approval of the minutes of the February 25, 2019, regular meeting of the City Council

2019-029	Arbor Week Proclamation	Exhibit 1
2019-030	Reappoint Kimm Eckhoff to the Jefferson County Intellectual and Developmental Disabilities Authority, Inc. (term will expire April 1, 2025)	Exhibit 2, Appendix 1
2019-031	Ratify the execution of the Municipal Workers' Compensation Fund Deductible Addendum – 2019 effective February 1, 2019	Exhibit 3, Appendix 2
2019-032	Authorize the renewal/extension of the Waste Management of Central Alabama garbage, trash and recycling contract (October 1, 2019 through September 30, 2022)	Exhibit 4, Appendix 3
2019-033	Authorize the execution of a 3-year Franchise Agreement, between the City and MCIMetro Access Transmission Services Corp. ("MCI") d/b/a Verizon Access Transmission Services with respect to MCI's fiber-based communications services business activities within the City	Exhibit 5, Appendix 4
2019-034	Approve the proposed street paving/resurfacing list for fiscal	Exhibit 6,

2019 under the City's 3-year street resurfacing contract (see Resolution No. 2017-058 adopted May 8, 2017)

Appendix 5

Thereupon, the foregoing minutes, proclamation, and resolutions were introduced by Council President Smith and a motion for their immediate adoption made by Council member Black. The minutes, proclamation and resolutions were then considered by the City Council. Council member Womack seconded the motion to adopt the foregoing minutes, proclamation and resolutions. Then, upon the question being put and the roll called, the vote was recorded as follows:

Ayes: Virginia C. Smith, Council President
William S. Pritchard III, Council President Pro Tempore
Philip E. Black
Lloyd C. Shelton
Alice B. Womack

Nays: None

Council President Smith thereupon declared that said minutes, proclamations (No. 2019-029), and resolutions (No. 2019-030 through 034) are adopted by a vote of 5—0 and as evidence they were signed by Council President Pro Tempore Pritchard.

3. 2018—2019 LEADERSHIP MOUNTAIN BROOK PRESENTATIONS (APPENDIX 6)

The Leadership Mountain Brook students made the following presentations:

- Weesa Keller, Will Krueger, Alice Monk and Charles Nicrosi – 1/2-acre Dog park (at Cahaba River Walk), at an estimated cost of \$10,000 with the possibility to recoup a portion with a grant award
- Ann Inskeep, Eloise Brantley and Megan Sumrall – Public art, at an estimated cost of \$500-\$600 which the students believe they can raise
- Ferris Schwefler and Mary Frances Torbert – Two (2) Welcome to Mountain Brook! gateway signs, at an estimated cost of \$3,500 to \$12,470
- Eric Cordover and Fraley Williams – Mountain Brook (Crestline) mural at an estimated cost of \$15,682

4. PUBLIC HEARING TO CONSIDERATION THE INSTALLATION OF A YIELD SIGN AND STOP BAR ON CAMELLIA CIRCLE AT ITS INTERSECTION WITH MONTGOMERY DRIVE (NO. 2019-035, APPENDIX 7)

The proposal was introduced by Council President Pro Tempore Pritchard who then invited comments and questions from the audience.

Lucie Haynes of 137 Camellia Circle:

- Questioned the necessity for a yield sign as there are only six homes on Camellia Circle

Michele Miller of 140 Camellia Circle:

- Expressed her opposition to the proposal as she believes it is not warranted

Chief Ted Cook:

- Ms. Jean Dent contacted the Chief to inquire why the yield sign was needed as well
- Ms. Dent also requested a “No Outlet” sign be installed at the entrance of Camellia Circle to minimize the occurrences of delivery trucks and others entering only to have to turn around
- Stated that another area resident requested a stop sign [which was subsequently changed to a yield] in order to establish right-of-way for safety purposes

Anna Carson of 780 Montgomery Drive:

- Questioned the need for the yield sign

City Manager Sam Gaston:

- One of the reasons for the request is the limited visibility caused in part by Ms. Carson's hedges
- The yield sign at the uncontrolled intersection is not just for the area residents who are familiar with the conditions but to other motorists who may not be so familiar

Chief Cook:

- Other motors not so familiar with the area include Uber, Shipt, UPS and Amazon drivers and other visitors to the neighborhood

Council member Womack

- The City has proactively installed safety measures (e.g., stop and yield signs) at numerous previously uncontrolled intersections throughout the City over the past 2-3 years in the interest of public safety

There being no further comments, Council President Pro Tempore Pritchard closed the public hearing and called for a motion. Council member Black made a motion that all rules and regulations which, unless suspended, would prevent the immediate consideration and approval of the proposal be suspended, and that unanimous consent to the immediate consideration of said proposal is given. The motion was seconded by Council member Shelton. Thereupon, Council President Pro Tempore Pritchard called for vote with the following results:

Ayes: William S. Pritchard, III
Philip E. Black
Lloyd C. Shelton
Alice B. Womack

Nays: None

The Council President Pro Tempore Pritchard declared the motion passed by a vote of 4—0.

After said proposal had been considered in full by the Council, Council member Black moved for the installation of a yield sign and stop bar on Camellia Circle at its intersection with Montgomery Drive. The motion was seconded by Council member Shelton. Thereupon, Council President Pro Tempore Pritchard called for vote with the following results:

Ayes: William S. Pritchard, III
Philip E. Black
Lloyd C. Shelton
Alice B. Womack

Nays: None

The Council President Pro Tempore Pritchard declared that the said motion (No. 2019-035) is hereby adopted by a vote of 4—0.

5. ANNOUNCEMENT

The next regular meeting of the City Council will be Monday, March 25, 2019, at 7:00 p.m. in the Council Chamber of City Hall located at 56 Church Street, Mountain Brook, AL 35213.

6. ADJOURNMENT

There being no further business to come before the City Council, Council President Smith adjourned the meeting at approximately 7:40 p.m.

7. CERTIFICATION

I, Steven Boone, City Clerk of the City of Mountain Brook, Alabama, certify the above is a true and correct transcript of the joint, regular meeting of the City Council of the City of Mountain Brook, Alabama held at City Hall, Council Chamber (Room A108) on March 11, 2019, and that the meeting was duly called and held in all respects in accordance with the laws of the State of Alabama and bylaws of the City and that a quorum was present.

City Clerk

EXHIBIT 1



CITY OF MOUNTAIN BROOK

56 Church Street
Mountain Brook, Alabama 35213
Telephone: 205.802.3800
Facsimile: 205.879.6913
www.mtnbrook.org

ARBOR WEEK PROCLAMATION

Whereas, in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and

Whereas, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and

Whereas, Arbor Day is now observed throughout the nation and the world, and

Whereas, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce life-giving oxygen, and provide habitat for wildlife, and

Whereas, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products, and

Whereas, trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community, and

Now, Therefore, I, Stewart H. Welch III, Mayor of the City of Mountain Brook, do hereby **proclaim** April 22 through April 28, 2019, as

ARBOR WEEK

in the City of Mountain Brook, and I urge all residents to celebrate the occasion and to support efforts to protect our trees and woodlands, and

Further, I urge all residents to plant trees to gladden the heart and promote the well-being of this and future generations.

**MINUTES OF THE SPECIAL OF THE
CITY COUNCIL OF THE CITY OF MOUNTAIN BROOK
MARCH 20, 2019**

The City Council of the City of Mountain Brook, Alabama met in public session in Room A106 of City Hall at 8:00 a.m. on the 20th day of March, 2019. The Council President called the meeting to order and the roll was called with the following results:

Present: Virginia C. Smith, Council President
William S. Pritchard III, Council President Pro Tempore (until approximately 8:10 p.m.)
Philip E. Black
Lloyd C. Shelton
Alice B. Womack
Stewart Welch III, Mayor

Absent: None

Also present were City Attorney Whit Colvin, City Manager Sam Gaston and City Clerk Steven Boone.

The Council President stated that a quorum was present and that the meeting was open for the transaction of business

1. CONSIDERATION OF AN ORDINANCE (NO. 2043) AMENDING CHAPTER 117 OF THE CITY CODE WITH RESPECT TO FLOOD DAMAGE PREVENTION REGULATION (EXHIBIT 1, APPENDIX 1)

The proposal was introduced by Council President Smith in writing who then called on Glen Merchant to describe the proposed ordinance.

Glen Merchant, City Building Official:

- The City's 2004 flood damage prevention ordinance has not been updated in many years
- It was thought that many of the new regulations were not applicable to the City (e.g., mobile homes parks and berms)
- Officials from ADECA recently informed the City that such regulations should be addressed in the City's ordinance hence the need for the amendatory language
- Should the City decline to amend its ordinance or otherwise fail to meet or exceed National Flood Insurance Program (NFIP) requirements, FEMA will take steps to suspend the City from NFIP

There being no further comments, Council President Smith called for a motion. Council member Womack made a motion that all rules and regulations which, unless suspended, would prevent the immediate consideration and approval of the ordinance be suspended, and that unanimous consent to the immediate consideration of said ordinance is given. The motion was seconded by Council President Pro Tempore Pritchard. Thereupon, Council President Smith called for vote with the following results:

Ayes: Virginia C. Smith, Council President
William S. Pritchard III, Council President Pro Tempore
Philip E. Black
Lloyd C. Shelton
Alice B. Womack

Nays: None

The Council President Smith declared the motion passed by a vote of 5—0.

After said ordinance had been considered in full by the Council, Council member Shelton moved for the adoption of the ordinance. The motion was seconded by Council member Black. Thereupon, Council President Smith called for vote with the following results:

Ayes: Virginia C. Smith, Council President
William S. Pritchard III, Council President Pro Tempore
Philip E. Black
Lloyd C. Shelton
Alice B. Womack

Nays: None

The Council President Smith declared that the said ordinance (No. 2043) is hereby adopted by a vote of 5—0 and evidence thereof she signed the same.

2. **CONSIDERATION: RESOLUTION (NO. 2019-036) AUTHORIZING THE LEADERSHIP MOUNTAIN BROOK CLASS OF 2018—2019 TO MAKE APPLICATION ON BEHALF OF THE CITY OF MOUNTAIN BROOK FOR A \$5,000 REMY FUND GRANT FOR A PROPOSED DOG PARK TO BE INSTALLED AT CAHABA RIVER WALK AND THE EXPENDITURE BY THE CITY OF UP TO ~~\$5,000~~ \$10,000 FOR SAID DOG PARK PROVIDED THE REMY GRANT IS AWARDED TO THE CITY OR THE LEADERSHIP CLASS RAISES \$5,000 TOWARD THE PROJECT BY SOME OTHER MEANS (EXHIBIT 2, APPENDIX 2)**

Council President introduced the resolution in writing and invited questions or comments. There being none, she called for a motion. Council member Shelton moved for the adoption of the resolution. The motion was seconded by Council member Womack. Then, upon the question being put and the roll called, the vote was recorded as follows:

Ayes: Virginia C. Smith, Council President
Philip E. Black
Lloyd C. Shelton
Alice B. Womack

Nays: None

Council President Smith thereupon declared that said resolution (No. 2019-036) is adopted by a vote of 5—0 and as evidence thereof she signed the same.

3. ANNOUNCEMENT

The next regular meeting of the City Council will be Monday, March 25, 2019, at 7:00 p.m. in the Council Chamber of City Hall located at 56 Church Street, Mountain Brook, AL 35213.

4. ADJOURNMENT

There being no further business to come before the City Council, Council President Smith adjourned the meeting at approximately 8:15 a.m.

5. CERTIFICATION

I, Steven Boone, City Clerk of the City of Mountain Brook, Alabama, certify the above is a true and correct transcript of the joint, regular meeting of the City Council of the City of Mountain Brook, Alabama held at City Hall, Room A106 on March 20, 2019, and that the meeting was duly called and held in all respects in accordance with the laws of the State of Alabama and bylaws of the City and that a quorum was present.

City Clerk

EXHIBIT 1

ORDINANCE NO. 2043

**AN ORDINANCE AMENDING CHAPTER 117 OF THE CITY CODE
FLOOD DAMAGE PREVENTION ORDINANCE
City of Mountain Brook**

BE IT ORDAINED by the City Council of the City of Mountain Brook, Alabama, that Chapter 117 of the City Code is hereby amended to read as follows:

“ARTICLE 1

Statutory Authorization, Findings of Fact, Purpose And Objectives

SECTION A STATUTORY AUTHORIZATION

Local government units are authorized by Alabama state law to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry. Ala. Code §11-19-1 through 24; §11-45-1 through 24; §11-52-1 through 84; §41-9-166 (1975).

SECTION B FINDINGS OF FACT

- (1) The flood hazard areas of Mountain Brook, Alabama are subject to periodic inundation which may result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood relief and protection, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare.
- (2) These flood losses are caused by the location in flood hazard areas of uses vulnerable to floods; structures which are inadequately elevated, flood proofed, or are otherwise unprotected from flood damages; and by the cumulative effect of obstructions in floodplains causing increases in flood heights and velocities.

SECTION C STATEMENT OF PURPOSE

It is the purpose of this ordinance to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

- (1) require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
- (2) restrict or prohibit uses which are dangerous to health, safety and property due to water or erosion hazards, or which increase flood heights, velocities, or erosion;

RESOLUTION NO. 2019-038

BE IT RESOLVED by the City Council of the City of Mountain Brook, Alabama, that Lynn Ritchie is hereby reappointed to the Village Design Review Committee, to serve without compensation, with the term of office to end March 25, 2022.

ADOPTED: This 25th day of March, 2019.

Council President

APPROVED: This 25th day of March, 2019.

Mayor

CERTIFICATION

I, Steven Boone, City Clerk of the City of Mountain Brook, Alabama hereby certify the above to be a true and correct copy of a resolution adopted by the City Council of the City of Mountain Brook at its regular meeting held on March 25, 2019, as same appears in the minutes of record of said meeting.

City Clerk

RESOLUTION NO. 2019-039

BE IT RESOLVED by the City Council of the City of Mountain Brook, Alabama, that beginning at 12:01 a.m. on Friday, July 19, 2019, and ending at twelve midnight on Sunday, July 21, 2019, the City of Mountain Brook will exempt certain school supplies, computers, and clothing from municipal sales or use tax. Said sales and use tax exemption shall conform with respect to the time period, terms and conditions, and definitions as provided for the “State of Alabama Sales Tax Holiday”.

BE IT FURTHER RESOLVED by the City Council of the City of Mountain Brook, Alabama, that the City Clerk is hereby instructed to send a certified copy of this resolution to the Alabama Department of Revenue, Attention: Wanda Robbins, Sales, Use & Business Tax Division, Post Office Box 327900, Montgomery, Alabama 36132-7900 (wanda.robins@revenue.alabama.gov) as required by Sales Tax Holiday Rule 810-6-3-.65 and Code of Alabama 1975, §11-51-210(e).

ADOPTED: This 25th day of March, 2019.

Council President

APPROVED: This 25th day of March, 2019.

Mayor

CERTIFICATION

I, Steven Boone, City Clerk of the City of the City of Mountain Brook, Alabama, hereby certify the above to be a true and correct copy of a resolution adopted by the City Council of the City of Mountain Brook at its meeting held on March 25, 2019, as same appears in the minutes of record of said meeting.

City Clerk



State of Alabama Department of Revenue

(www.revenue.alabama.gov)
50 North Ripley Street
Montgomery, Alabama 36132

March 7, 2019

2019 “Back-to-School” Sales Tax Holiday July 19-21, 2019

Deadline to notify ADOR: June 19, 2019

The 2019 “Back-to-School” Sales Tax Holiday begins at 12:01 a.m. on Friday, July 19, 2019, and ends at twelve midnight on Sunday, July 21, 2019. As required by Rule 810-6-3-.65, a participating county or municipality shall submit a certified copy of their adopted resolution or ordinance providing for the Sales Tax Holiday, and any subsequent amendments thereof, to the Alabama Department of Revenue before June 19, 2019. The Department will compile this information into a list of all counties and municipalities participating in the “Back-to-School” Sales Tax Holiday and issue a current publication of the list on its website at: <https://revenue.alabama.gov/sales-use/sales-tax-holidays/>. Notification of participation in the sales tax holiday may not be included in the published list if received after June 19, 2019.

Retail businesses and the public need to know whether or not your locality will participate in the 2019 “Back-to-School” Sales Tax Holiday. Please put it on your calendar to discuss and vote on this matter soon and notify the ADOR of the decision.

IMPORTANT

RESPONSE REQUIRED

IMPORTANT

Participating? Send a certified copy of any resolution, ordinance, or amendment adopted by your locality.

Not Participating? Send an email, fax or letter (with signature line) stating: “MOUNTAIN BROOK will not be participating in the 2019 Back-to-School Sales tax holiday.” It is important that you inform us of that fact, otherwise, retailers and the public wonder if you are participating and forgot to notify the Department of Revenue.

Retailers and the public rely on the list provided by the Department of Revenue and the Department cannot post a locality’s participation status based on assumption; notification of nonparticipation or a copy of the resolution/ordinance from the locality is required.

Notification can be faxed, mailed or emailed:

FAX: 334-242-8916

EMAIL: laura.reese@revenue.alabama.gov

QUESTIONS: 334-242-1443

MAIL: ALABAMA DEPARTMENT OF REVENUE
ATTN: Laura Reese
Sales & Use Tax Division
Post Office Box 327900
Montgomery, Alabama 36132-7900

RESOLUTION NO. 2019-036

BE IT RESOLVED by the City Council of the City of Mountain Brook, Alabama, that the City Council hereby recommends to the State of Alabama, Alcoholic Beverage Control Board, the issuance of a 040 – Restaurant Retail Beer (On or Off Premises) and 060 – Retail Table Wine (On or Off Premises) licenses to Publix Alabama LLC (Trade name: Publix Alabama 1676), 1000 Jemison Lane, Mountain Brook 35223.

BE IT FURTHER RESOLVED that the City Clerk is hereby instructed to forward a copy of this resolution to the State of Alabama, Alcoholic Beverage Control Board.

ADOPTED: This 25th day of March, 2019.

Council President

APPROVED: This 25th day of March, 2019.

Mayor

CERTIFICATION

I, Steven Boone, City Clerk of the City of Mountain Brook, Alabama, hereby certify the above to be a true and correct copy of a resolution adopted by the City Council of the City of Mountain Brook at its meeting held on March 25, 2019, as same appears in the minutes of record of said meeting.

City Clerk



**STATE OF ALABAMA
ALCOHOLIC BEVERAGE CONTROL BOARD
ALCOHOL LICENSE APPLICATION**



Confirmation Number: 20190313101925666

Type License: 040 - RETAIL BEER (ON OR OFF PREMISES) **State:** **County:**

Type License: 060 - RETAIL TABLE WINE (ON OR OFF PREMISES) **State:** **County:**

Trade Name: PUBLIX ALABAMA 1676 **Filing Fee:**

Applicant: PUBLIX ALABAMA LLC **Transfer Fee:** \$100.00

Location Address: 1000 JEMISON LANE MOUNTAIN BROOK, AL 35223

Mailing Address: PO BOX 32027 LAKELAND, FL 33802

County: JEFFERSON **Tobacco sales:** YES **Tobacco Vending Machines:** 0

Type Ownership: LLC

Book, Page, or Document info: 200013 5582

Date Incorporated: 11/27/2000 **State incorporated:** AL **County Incorporated:** JEFFERSON

Date of Authority: 11/27/2000 **Alabama State Sales Tax ID:** 6800 16486

Federal Tax ID: 59-3682312

Name:	Title:	Date and Place of Birth:	Residence Address:
MERRIANN MAY METZ M320553756240 - FL	SECRETARY	04/04/1975 CLEARWATER, FL	829 SOUTH NEWPORT AVENUE TAMPA, FL 33606
DAVID PATRICK PHILLIPS P412-175-59-389-0 - FL	TREASURER	11/09/1959 LAKELAND, FL	403 PALMOLA STREET LAKELAND, FL 33803
JEFFREY GERARD CHAMBERLAIN C516-427-56-123-0 - FL	PRESIDENT	04/03/1956 BOURNE, MA	833 ASHTON OAKS CIRCLE LAKELAND, FL 33813

Has applicant complied with financial responsibility ABC RR 20-X-5-.14? YES

Does ABC have any actions pending against the current licensee? NO

Has anyone, including manager or applicant, had a Federal/State permit or license suspended or revoked? NO

Has a liquor, wine, malt or brewed license for these premises ever been denied, suspended, or revoked? NO

Are the applicant(s) named above, the only person(s), in any manner interested in the business sought to be licensed? NO

Are any of the applicants, whether individual, member of a partnership or association, or officers and directors of a corporation itself, in any manner monetarily interested, either directly or indirectly, in the profits of any other class of business regulated under authority of this act? NO

Does applicant own or control, directly or indirectly, hold lien against any real or personal property which is rented, leased or used in the conduct of business by the holder of any vinous, malt or brewed beverage, or distilled liquors permit or license issued under authority of this act? NO

Is applicant receiving, either directly or indirectly, any loan, credit, money, or the equivalent thereof from or through a subsidiary or affiliate or other licensee, or from any firm, association or corporation operating under or regulated by the authority of this act? NO

Contact Person: JENNIFER MARTIN

Home Phone: 863-688-7407

Business Phone: 863-688-7407

Cell Phone:

Fax:

E-mail: JENNIFER.D.MARTIN@PUBLIX.COM

PREVIOUS LICENSE INFORMATION:

Previous License Number(s)

Trade Name: WESTERN SUPERMARKET 7

License 1: 010764537

Applicant: WESTERN SUPERMARKETS INC

License 2: 010764537



STATE OF ALABAMA
ALCOHOLIC BEVERAGE CONTROL BOARD
 ALCOHOL LICENSE APPLICATION
Confirmation Number: 20190313101925666

Private Clubs / Special Retail / or Special Events licenses ONLY

Private Club

Does the club charge and collect dues from elected members?
 Number of paid up members:
 Are meetings regularly held?
 How often?
 Is business conducted through officers regularly elected?
 Are members admitted by written application, investigation, and ballot?
 Has Agent verified membership applications for each member listed?
 Has at least 10% of members listed been confirmed and highlighted? Agent's Initials:
 For what purpose is the club organized?
 Does the property used, as well as the advantages, belong to all the members?
 Do the operations of the club benefit any individual member(s), officer(s), director(s), agent(s), or employee(s) of the club rather than to benefit of the entire membership?

Special Retail

Is it for 30 days or less?
 More than 30 days?
 Franchisee or Concessionaire of above?
 Other valid responsible organization:
 Explanation:

Special Events / Special Retail (7 days or less)

Starting Date: Ending Date:
 Special terms and conditions for special event/special retail:

Other Explanations

Are the applicant(s) named above, the only person(s), in any manner interested in the business sought to be licensed?: GIUSEPPE DI BENEDETTO JR'S INFORMATION IS INCLUDED WITH THIS APPLICATION.



STATE OF ALABAMA
ALCOHOLIC BEVERAGE CONTROL BOARD
 Confirmation Number: 20190313101925666



NOTICE OF TRANSFER OF ABC LICENSED BUSINESS

NOTE: A Copy of Operating Agreement Must be Attached To Application

CURRENT LICENSEE:
 WESTERN SUPERMARKETS INC
 Address: 1000 JEMISON LANE
 MOUNTIAN BROOK, AL 35223
 Telephone: 205-266-4650

NEW APPLICANT:
 PUBLIX ALABAMA LLC
 Address: PO BOX 32027
 LAKELAND, FL 33802
 Telephone: 863-688-7407

Current License No: 010764537
 010764537

LICENSED PREMISES ADDRESS: 1000 JEMISON LANE MOUNTAIN BROOK, AL 35223

THE AFORENAMED HEREBY SERVE NOTICE TO THE ABC BOARD OF THE ATTACHED CONTRACTUAL AGREEMENT GOVERNING THE CONTINUATION OF SALES OF ALCOHOLIC BEVERAGES ON THE LICENSED PREMISES.

The Parties to this agreement hereby acknowledge and affirm that the New (Applicant) Licensee will, at all times, act as the AGENT for the Current (Named) Licensee, and the Current Licensee shall act as PRINCIPAL for the purposes of the attached Agreement. The Principal shall be bound by all acts and/or omissions of the Agent in the operation of the licensed premises.

The Current Licensee is now and shall remain liable for any violations of ABC Rules and Regulations or other Alabama Law for the duration of the attached Agreement; and, further, that the Current Licensee has the right and authority, under Alabama Law, to surrender the ABC License to the ABC Board at any time.


The parties acknowledge that the operation of the licensed premises shall remain subject to inspection by ABC Enforcement, and must comply with all State and Local regulations and Laws, and that the local ABC Enforcement District Office must be immediately notified of any change in the attached Agreement.

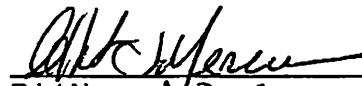
THE CURRENT LICENSE WILL NOT BE RENEWED.

WITNESS our hands and seals on this the 13th day of March, 2019.

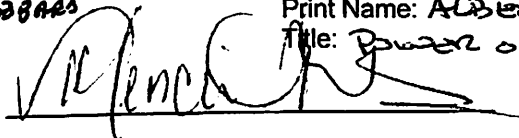
CURRENT LICENSEE (NAMED ON LICENSE)

NEW LICENSEE (APPLICANT)


 Print Name: Kenneth Huggins
 Title: CEO


 Print Name: ALBERT D. BREWSTER
 Title: POWER OF ATTORNEY

WITNESS: (By ABC Enforcement)
 Revised 9/08





STATE OF ALABAMA
ALCOHOLIC BEVERAGE CONTROL BOARD
ALCOHOL LICENSE APPLICATION
Confirmation Number: 20190313101925666



Initial each

In reference to law violations, I attest to the truthfulness of the responses given within the application.
 In reference to the Lease/property ownership, I attest to the truthfulness of the responses given within the application.

In reference to ACT No. 80-529, I understand that if my application is denied or discontinued, I will not be refunded the filing fee required by this application.

In reference to Special Retail or Special Events retail license, I agree to comply with all applicable laws and regulations concerning this class of license, and to observe the special terms and conditions as indicated within the application.

In reference to the Club Application information, I attest to the truthfulness of the responses given within the application.

In reference to the transfer of license/location, I attest to the truthfulness of the information listed on the attached transfer agreement.

In accordance with Alabama Rules & Regulations 20-X-5-.01(4), any social security number disclosed under this regulation shall be used for the purpose of investigation or verification by the ABC Board and shall not be a matter of public record.

The undersigned agree, if a license is issued as herein applied for, to comply at all times with and to fully observe all the provisions of the Alabama Alcoholic Beverage Control Act, as appears in Code of Alabama, Title 28, and all laws of the State of Alabama relative to the handling of alcoholic beverages.

The undersigned, if issued a license as herein requested, further agrees to obey all rules and regulations promulgated by the board relative to all alcoholic beverages received in this State. The undersigned, if issued a license as herein requested, also agrees to allow and hereby invites duly authorized agents of the Alabama Alcoholic Beverage Control Board and any duly commissioned law enforcement officer of the State, County or Municipality in which the license premises are located to enter and search without a warrant the licensed premises or any building owned or occupied by him or her in connection with said licensed premises. The undersigned hereby understands that he or she violate any provisions of the aforementioned laws his or her license shall be subject to revocation and no license can be again issued to said licensee for a period of one year. The undersigned further understands and agrees that no changes in the manner of operation and no deletion or discontinuance of any services or facilities as described in this application will be allowed without written approval of the proper governing body and the Alabama Alcoholic Beverage Control Board.

I hereby swear and affirm that I have read the application and all statements therein and facts set forth are true and correct, and that the applicant is the only person interested in the business for which the license is required.

Applicant Name (print): **ALBERT DIMERCURIO**

Signature of Applicant:

Notary Name (print): **Valencia Johnson**

Notary Signature:

Commission expires: **4/22/22**

Application Taken: **App. Inv. Completed:**

Submitted to Local Government:

Forwarded to District Office:
 Received from Local Government:
 Forwarded to Central Office:

Received in District Office: **Reviewed by Supervisor:**



CITY OF MOUNTAIN BROOK

P. O. Box 130009
Mountain Brook, Alabama 35213-0009
Telephone: 205.802.2400
Facsimile: 205.879.6913
www.mtnbrook.org

March 26, 2019

Ms. Valencia Johnson
Alabama ABC Board
234 Aquarius Drive, Suite 103
Homewood, AL 35209

Facsimile: (205) 942-2101

Gentlemen:

Attached is a copy of a resolution passed at the March 25, 2019, City Council meeting recommending the issuance 040 – Restaurant Retail Beer (On or Off Premises) and 060 – Retail Table Wine (On or Off Premises) licenses as follows:

Publix Alabama LLC
Trade name Publix Alabama 1676
c/o Jennifer Martin
1000 Jemsion Lane
Mountain Brook, AL 35223

If you have any questions, please call me at 802-3825.

Sincerely,

Steven Boone
City Clerk

Enclosure

c: jenifer.d.martin@publix.com
John T. Dukes, JTD@helmsinglaw.com

RESOLUTION NO. 2019-042

BE IT RESOLVED by the City Council of the City of Mountain Brook, Alabama, that the City Council hereby authorizes City Manager to pay, or cause to be paid for and on behalf of the City, up to \$2,000 for materials and provide City labor and equipment to install beautification improvements at the Montrose Circle traffic island as illustrated in Exhibit A attached hereto.

ADOPTED: This 25th day of March,2019.

Council President

APPROVED: This 25th day of March,2019.

Mayor

CERTIFICATION

I, Steven Boone, City Clerk of the City of Mountain Brook, Alabama hereby certify the above to be a true and correct copy of a resolution adopted by the City Council of the City of Mountain Brook at its regular meeting held on March 25, 2019, as same appears in the minutes of record of said meeting.

City Clerk

Traffic Island Policy Worksheet

Island Location: Montrose Circle

Area of Island: 3848 sq ft **Max City Contribution:** \$2,000

(< 3,000 sq ft = \$1,000; 3,000-6,000 sq ft = \$2,000; > 6,000 sq ft = \$3,000)

Sketch of Design

This is very similar to the design used at Gaywood Circle. We will add one tree, a flagstone sitting area, and sod the remainder of the island with Bermuda grass.



Other Details

- There are plastic anchors for Christmas decorations cemented in the ground all around the island. The plastic has sharp edges that can cut someone so they need to be removed.
- Public Works will replace the damaged gutter all the way around the island.

<u>Materials needed</u>	<u>Quantity</u>	<u>Cost</u>
Nuttall Oak 3.5" DBH	1	\$ 350
Flagstone Rock	260 sq ft	\$1,200
Bermuda Sod	8 pallets	\$ 840
	Total Cost	\$2,390

Traffic Island Policy Worksheet

Resident Contact Information

<u>Name</u>	<u>Email</u>	<u>Phone</u>
Rebecca Williamson	rejabu@aol.com	

Partnership Agreement

The residents will donate the \$390 that is over the maximum allowed for the island. They have purchased the chairs they would like to use on the flagstone sitting area. We will keep the island watered until the sod and tree are established. It will be maintained on a weekly basis as part of the Route crew's usual responsibility.

Island Committee Comments

Date Feb 22, 2019

Elizabeth and I met with Rebecca to begin the initial discussion. We communicated with everyone else via email. No one disagreed with the design. It was suggested to avoid activity on the grass until the sod has a chance to get rooted. People will also need to be careful around the newly planted tree.

<u>Tree Commission Members:</u>	Elizabeth Poyner	Ro Holman
<u>Park Board Members:</u>	Helen Drennen	Aimee Reese
<u>Others:</u>	Virginia Smith	Shanda Williams

Police Department Comments

Date March 18, 2019

Lt. Jason Carmack stated that he did not see any issues with the proposed design.

Traffic Island Policy Worksheet

Council Comments: _____ **Date:** _____

Amount approved: _____

Construction Issues/Comments/Adjustments

Proposed Amendment to the Professional District (Article X)

Recent Background

On February 25, 2019, the city council held a public hearing on the proposed amendment to the professional district, and voted to carry it over the its meeting of March 25, 2019. Minor changes were made to the draft amendment, which was re-noticed for the meeting of March 25, 2019.

The planning commission, on January 7, 2019, and February 4, 2019, held public hearings on a pending rezoning proposal of the Knesseth Israel property on Overton Road, which has been further postponed the planning commission meeting of March 4, 2019. The proposal is to rezone the property from Res-A district to Professional district.

The rezoning proposal involves the conversion of the existing KI facility to an outpatient plastic surgery practice; a professional office for physicians specializing in plastic surgery – not to be used as a clinic. Proposed hours of operation are from 7:30a-5:00p M-F.

While it is noted that there is a good deal of community opposition to the rezoning case, some members of the planning commission (and some of the neighboring residents) expressed concern, perhaps not so much about the proposed use, itself, but about potential future uses allowed in the professional district, should the property be rezoned and the applicant vacate the premises in the future.

Proposed Amendment to the Professional District

The on-going rezoning case at KI has shed some light on the professional district regulations, and caused staff and the planning commission to take a closer look at these regulations. A 2-pronged approach to revisions to the professional district regulations has been recommended for approval by the planning commission:

Prong #1: Eliminate the antiquated uses (1. and 2.) noted below.

In addition to professional offices, the district regulations currently allow for:

1. Private schools for the teaching of dance, music and other courses, and;
2. The assembling of frames.

Both of these uses were added to the professional district to accommodate previous businesses which were located in the professional district; these are no longer located on any lot zoned professional district in the city.

The idea behind allowing professional offices in a zoning category separate from the local business district is to provide transitional areas between the villages and the surrounding residential areas. Private schools and the assembling of frames don't necessarily lend themselves to transitional characteristics, and so it is proposed to remove these uses from the professional district regulations.

Prong #2: Make the remaining permitted uses (professional offices) subject to the city council conditional use process going forward.

The ordinance is proposed to be amended such that any properties zoned to the professional district after the effective date of the amendment would be subject to city council approval of a conditional use for any proposed professional office use in said district. Conditional use approval would ensure the implementation of appropriate measures to mitigate potential any potential negative effects on adjoining properties (such as landscape buffers, hours of operation, parking, lighting restrictions, etc.) This is the same process outlined for conditional uses in the local business district.

As drafted, properties that are currently zoned professional district would not be subject to the conditional use process. There are currently 15 properties that fall into this zoning category in the city (see attached maps for locations):

Crestline Village: 6 lots, all in transitional locations
English Village: 6 lots, all in transitional locations
Overton Village: 2 lots, in transitional locations
Hwy 280: 1 lot in transitional location

None of the businesses on these lots has changed in the past 11 years.

City Council Action

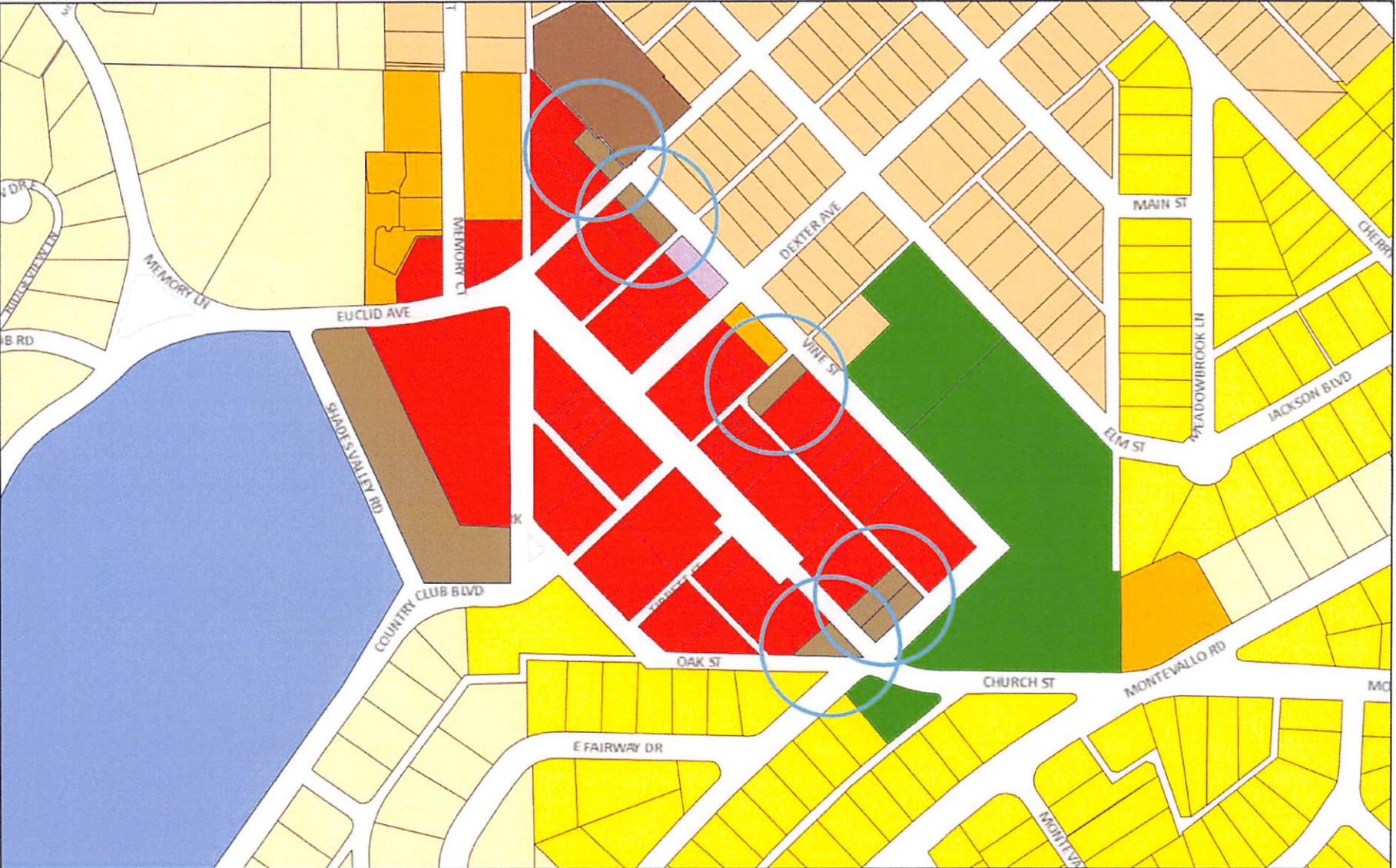
If it be the wish of the city council, it could approve the changes to the professional district as drafted, approve one of the two “prongs,” reject the proposed changes in its entirety, or recommend revisions to the changes.

Relationship of the Proposed Amendment to the KI Rezoning Case

Should the council approve Prong-2 (conditional use process), the KI rezoning case would be subject to the new regulations; and the planning commission would carry on with its review of the case and make a recommendation to the city council on the rezoning (the applicant for the rezoning case requested at the February PC meeting that the case be carried over until such a time that the city council took action on the proposed revisions to the professional district).

It is important to note that any city council approval of the proposed professional district revisions would in no way bind the city council to an approval of a future rezoning request of the KI property to the professional district.

Crestline Professional Lots

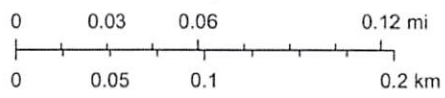


1/23/2019, 7:56:36 AM

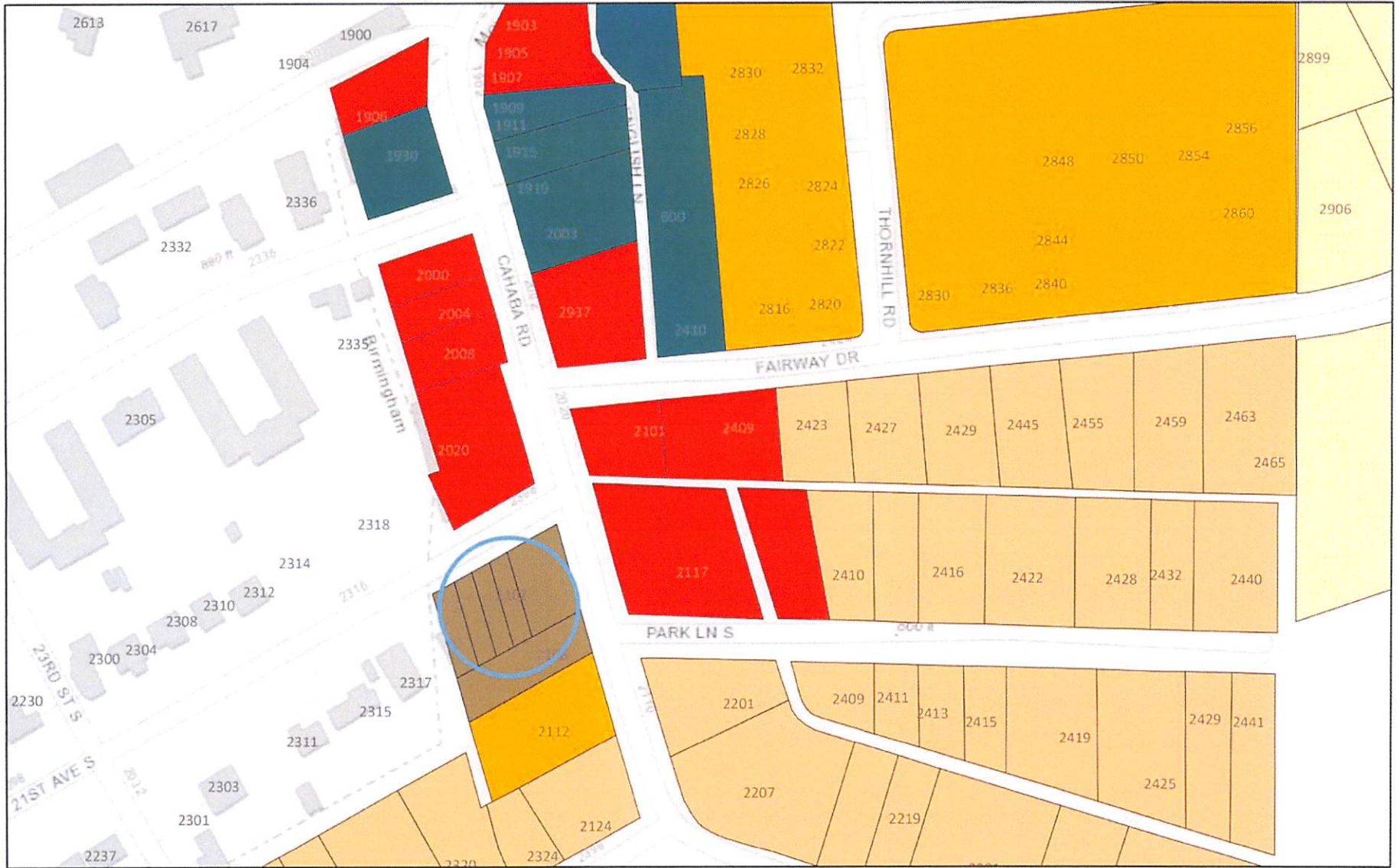
Tax_Parcel
0

- Professional District
- Residence C District
- Recreation District
- Residence A District
- Residence D District
- Rec-2
- Local Business District
- Residence B District
- Residence E District
- Vine Street Transitional

1:4,514



English Village Professional Lots



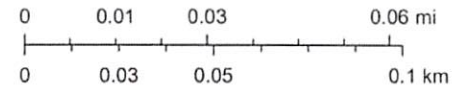
1/23/2019, 8:06:26 AM

1:2,257

SiteAddressPoints Tax_Parcels

- 0
- Local Business District
- Professional District
- Residence A District

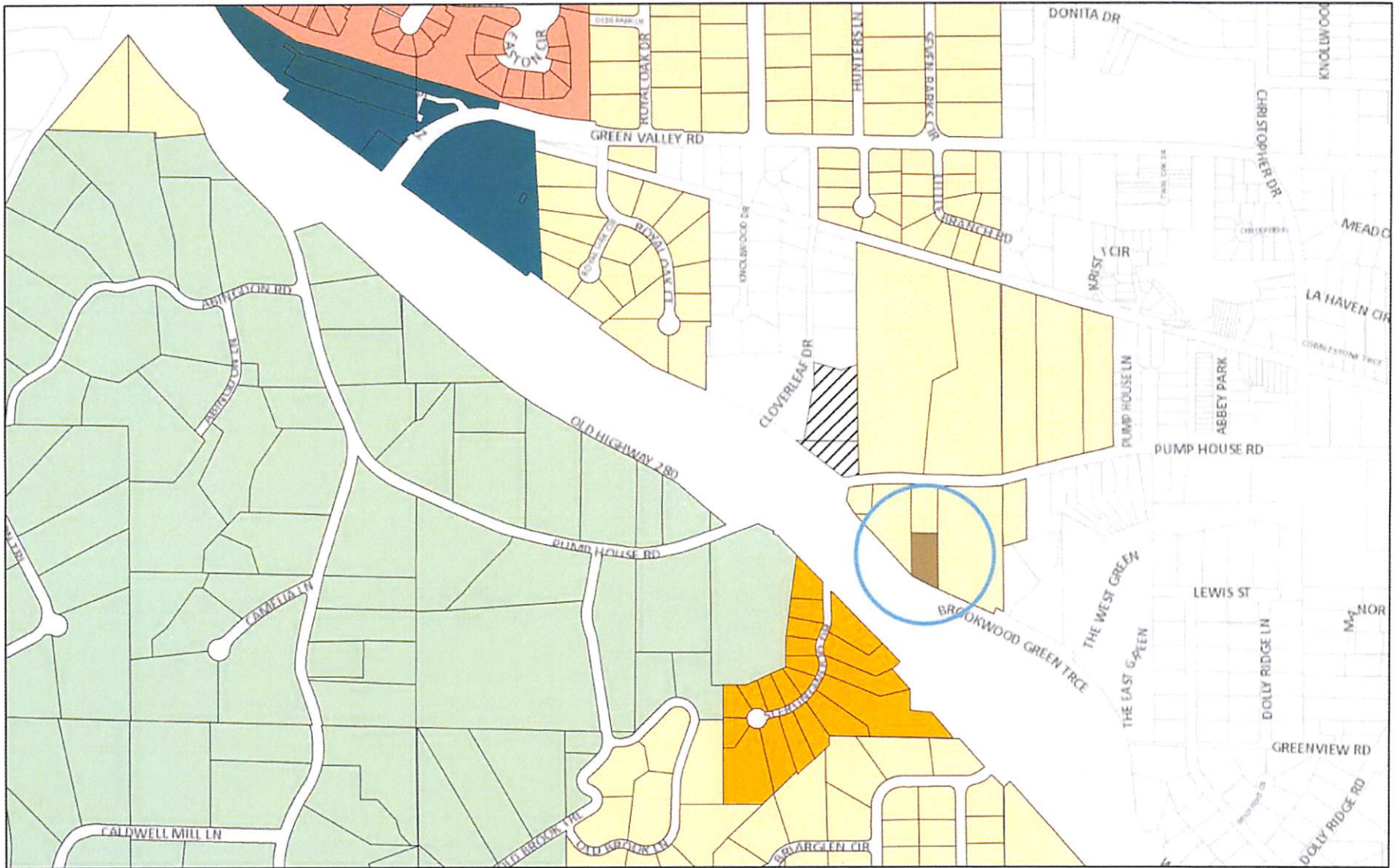
- MXD
- Residence C District
- Residence D District



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS.

Web AppBuilder for ArcGIS
Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA | Hunter Simmons |

Hwy 280 Professional Lot



1/23/2019, 8:09:10 AM

Tax_Parcels

0

Clustered Residential

Estate Residence District PUD

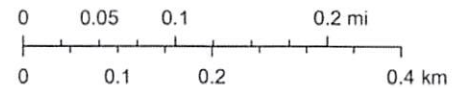
MXD

Professional District

Residence A District

Residence D District

1:9,028



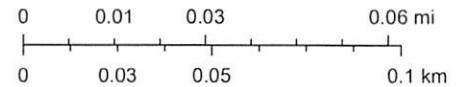
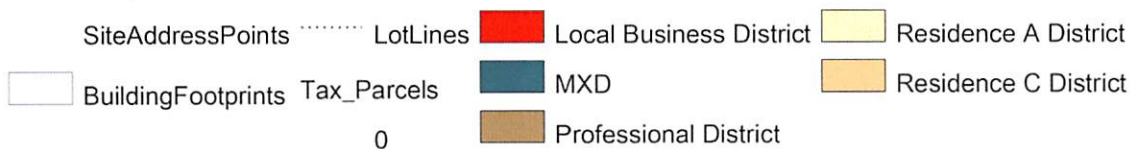
Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS,

Overton Village Professional Lots



1/23/2019, 2:28:13 PM

1:2,257



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS,

Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA | Hunter Simmons |

Web AppBuilder for ArcGIS



Dana Hazen <hazend@mtnbrook.org>

RE: Request for the Postponement of Public Hearing

1 message

Sam Gaston <gastons@mtnbrook.org>

Mon, Mar 18, 2019 at 1:01 PM

To: MMKlinger <martklin@mindspring.com>, Tammy Reid <reidt@mtnbrook.org>, Dana Hazen <hazend@mtnbrook.org>

Thank you. The City Council may consider continuing this public hearing until their April 8th meeting.

Sam S.Gaston
City Manager
City of Mountain Brook, AL.
56 Church Street
P.O. Box 130009
Mountain Brook AL. 35213
(205) 802-3803 Phone
(205) 870-3577 Fax

From: MMKlinger [mailto:martklin@mindspring.com]
Sent: Monday, March 18, 2019 12:33 PM
To: gastons@mtnbrook.org; reidt@mtnbrook.org; hazend@mtnbrook.org
Subject: Re: Request for the Postponement of Public Hearing

March 18, 2019

City Council Members
Mayor, City of Mountain Brook
City Manager
Planning Commission Members
City Director of Planning, Building & Sustainability

Re: Request for the Postponement of Public Hearing

Dear City Leaders:

3/18/2019

City of Mountain Brook Mail - RE: Request for the Postponement of Public Hearing

I recently learned of the scheduled hearing on March 25, 2019 to consider proposed amendments to Chapter 129 of the Code of the City of Mountain Brook as it pertains to Article X Professional District. Many residents of the Overton Village community have a direct stake in these considerations and very much wish to attend the meeting. Unfortunately, the meeting date coincides with the Mtn. Brook schools Spring Break from March 22 to March 31 and most of these residents will be out of town with their families.

I would like to respectfully request that you consider delaying the hearing until the next scheduled meeting of the City Council in order to allow the concerned members of the community a chance to attend the proceedings. We would greatly appreciate this gesture on your part.

Sincerely,

Martin Klinger

Resident of Overton Village Neighborhood

(205)-908-0708

martklin@mindspring.com



Dana Hazen <hazend@mtnbrook.org>

Please postpone hearing!

1 message

Lisa Littlejohn <lisasloanl@aol.com>
To: hazend@mtnbrook.org

Mon, Mar 18, 2019 at 12:47 PM

Sent from my iPhone



Dana Hazen <hazend@mtnbrook.org>

Request for the Postponement of Hearing - Proposed Amendment to the Zoning Ordinance

1 message

Collins Wise <collinswise@hotmail.com>

Mon, Mar 18, 2019 at 12:26 PM

To: "hazend@mtnbrook.org" <hazend@mtnbrook.org>, "forbesj@mtnbrook.org" <forbesj@mtnbrook.org>, "gastons@mtnbrook.org" <gastons@mtnbrook.org>, "grahamt@mtnbrook.org" <grahamt@mtnbrook.org>, "reidt@mtnbrook.org" <reidt@mtnbrook.org>

City Council Members
Mayor, City of Mountain Brook
City Manager
Planning Commission Members
City Director of Planning, Building & Sustainability

Subject: Request for the Postponement of Public Hearing and Consideration of Proposed Amendments to Chapter 129 of the Code of the City of Mountain Brook as it pertains to Article X Professional District

Dear City Leaders:

We, the residents of the Overton Village community, appreciate the opportunity to provide comments on the above referenced matter. However, the scheduled date of the hearing, March 25, 2019, is not feasible for our community and the general residents of the City of Mountain Brook because most of us will be on family Spring break, starting March 22nd - March 31, 2019. We will not be able to exercise our civic duties on this important ordinance change.

We respectfully request that the City Council considers postponing this hearing to the next regularly scheduled meeting of the City Council.

Please forward to the city leaders. Thank you in advance for your consideration.

Sincerely,

Joseph Wise
Resident of Overton Village Neighborhood



Dana Hazen <hazend@mtnbrook.org>

Please postpone hearing

1 message

Ashley McMakin <ashley@ashleymacs.com>
To: hazend@mtnbrook.org

Mon, Mar 18, 2019 at 4:36 PM

We respectfully request that the City Council considers postponing this hearing (currently scheduled for March 25th) to the next regularly scheduled meeting of the City Council.

Thank you!
Ashley McMakin
Overton Road resident

Sent from my iPhone



Dana Hazen <hazend@mtnbrook.org>

Fwd: Request for the Postponement of Public Hearing and Consideration of Proposed Amendments to Chapter 129 of the Code of the City of Mountain Brook as it pertains to Article X Professional District

1 message

Tammy Reid <reidt@mtnbrook.org>
To: Dana Hazen <hazend@mtnbrook.org>

Tue, Mar 19, 2019 at 8:02 AM

----- Forwarded message -----

From: **Cheryl Savage** <savagecj@vestavia.k12.al.us>

Date: Tue, Mar 19, 2019 at 8:01 AM

Subject: Request for the Postponement of Public Hearing and Consideration of Proposed Amendments to Chapter 129 of the Code of the City of Mountain Brook as it pertains to Article X Professional District

To: <reidt@mtnbrook.org>, <gastons@mtn.org>

Dear Sirs:

I am requesting that the meeting that is scheduled for March 25, 2019 be rescheduled to a date when all of the residents affected will be able to attend. This is during Spring Break from the schools and it is not possible or convenient for most residents.

Thank you for your consideration.

Sincerely,

Cheryl J. Savage

Confidentiality Notice: This e-mail and any attachments may contain legally privileged and confidential information intended solely for the use of the addressee. If you are not the intended recipient, please notify the sender immediately by return e-mail, delete this e-mail, and destroy any copies. Any dissemination or use of this information by a person other than the intended recipient is unauthorized. Unless otherwise stated, opinions expressed in this e-mail are those of the author and are not endorsed by Vestavia Hills City Schools.

Vestavia Hills City Schools (VHCS) does not discriminate on the basis of race, color, national origin, sex, disability, or age in its programs and activities and provides equal access to the Boy Scouts and other designated youth groups. The following person has been designated to handle inquiries regarding the non-discrimination policies: Dr. Patrick Martin, Section 504/Title IX Coordinator at [1204 Montgomery Highway](https://www.vestavia-hills.org/1204-Montgomery-Highway), 205-402-5100.

For further information on notice of non-discrimination, visit the Office for Civil Rights website for the address and phone number of the office that serves your area, or call 1-800-421-3481.

--

Tammy Reid

Administrative Analyst

City of Mountain Brook

Planning, Building & Sustainability

56 Church Street

Mountain Brook, AL 35213

(205) 802-3810

Excellence is not a skill. It is an **attitude**.



Dana Hazen <hazend@mtnbrook.org>

Request for the Postponement of Public Hearing and Consideration of Proposed Amendments to Chapter 129 of the Code of the City of Mountain Brook as it pertains to Article X Professional District

1 message

Gabriel Rezonzew <grezonzew@hotmail.com>

Mon, Mar 18, 2019 at 1:43 PM

To: "gastons@mtnbrook.org" <gastons@mtnbrook.org>, "reidt@mtnbrook.org" <reidt@mtnbrook.org>, "hazend@mtnbrook.org" <hazend@mtnbrook.org>

March 18, 2019

City Council Members

Mayor, City of Mountain Brook

City Manager

Planning Commission Members

City Director of Planning, Building & Sustainability

Subject:Request for the Postponement of Public Hearing and Consideration of Proposed Amendments to Chapter 129 of the Code of the City of Mountain Brook as it pertains to Article X Professional District

Dear City Leaders:

We, the residents of the Overton Village community, appreciate the opportunity to provide comments on the above referenced matter. However, the scheduled date of the hearing, March 25, 2019, is not feasible for our community and the general residents of the City of Mountain Brook because most of us will be on family Spring break, starting March 22nd - March 31, 2019. We will not be able to exercise our civic duties on this important ordinance change.

We respectfully request that the City Council considers postponing this hearing to the next regularly scheduled meeting of the City Council.

Please forward to the addressees/city leaders. Thank you in advance for your consideration.

Sincerely,

Residents of Overton Village Neighborhood



Dana Hazen <hazend@mtnbrook.org>

FW: March 25 meeting

1 message

Sam Gaston <gastons@mtnbrook.org>
To: Dana Hazen <hazend@mtnbrook.org>

Mon, Mar 18, 2019 at 4:27 PM

Sam S.Gaston

City Manager

City of Mountain Brook, AL.

56 Church Street

P.O. Box 130009

Mountain Brook AL. 35213

(205) 802-3803 Phone

(205) 870-3577 Fax

From: janet anderson [mailto:janetaanderson@me.com]**Sent:** Monday, March 18, 2019 3:59 PM**To:** gastons@mtnbrook.org**Subject:** March 25 meeting**Subject: Request for the Postponement of Public Hearing and Consideration of Proposed Amendments to Chapter 129 of the Code of the City of Mountain Brook as it pertains to Article X Professional District**

We, the residents of the Overton Village community, appreciate the opportunity to provide comments on the above referenced matter. However, the scheduled date of the hearing, March 25, 2019, is not feasible for our community and the general residents of the City of Mountain Brook because most of us will be on family Spring break, starting March 22nd - March 31, 2019. We will not be able to exercise our civic duties on this important ordinance change.

We respectfully request that the City Council considers postponing this hearing to the next regularly scheduled meeting of the City Council.

Sent from my iPhone



Dana Hazen <hazend@mtnbrook.org>

Fwd: Postpone the March 25th meeting, please!

1 message

Sam Gaston <gastons@mtnbrook.org>
To: Dana Hazen <hazend@mtnbrook.org>

Mon, Mar 18, 2019 at 7:19 PM

Sent from my iPhone
Sam Gaston

Begin forwarded message:

From: Kathy Stanford <katharoo50@gmail.com>
Date: March 18, 2019 at 6:56:57 PM CDT
To: gastons@mtnbrook.org
Subject: Postpone the March 25th meeting, please!

I ask that you postpone this meeting as I will be out of town.

Sent from my iPad



Dana Hazen <hazend@mtnbrook.org>

RE: Postponement

1 message

Sam Gaston <gastons@mtnbrook.org>

Wed, Mar 20, 2019 at 9:12 AM

To: Patti Grace <pmgrace0529@gmail.com>, Tammy Reid <reidt@mtnbrook.org>

Cc: "Farough, Raheel M" <rfarough@uabmc.edu>, Dana Hazen <hazend@mtnbrook.org>

Thank you.

Sam S.Gaston

City Manager

City of Mountain Brook, AL.

56 Church Street

P.O. Box 130009

Mountain Brook AL. 35213

(205) 802-3803 Phone

(205) 870-3577 Fax

From: Patti Grace [mailto:pmgrace0529@gmail.com]

Sent: Wednesday, March 20, 2019 8:20 AM

To: gastons@mtnbrook.org; reidt@mtnbrook.org

Cc: Farough, Raheel M

Subject: Postponement

My husband and I are live on Crosby Drive contiguous with the proposed rezoning of the synagogue property. We will not be able to attend the meeting on 3/25 due to it being spring break. I am requesting that you please reschedule the rezoning meeting due to this conflict. I'm sure there are a number of other citizens of both cities, Vestavia Hills and Mountain Brook, who would not be able to attend on the 25th due to spring break.

Thank you.

Sincerely,

Patti Grace

3797 Crosby Drive

205-451-3990



Dana Hazen <hazend@mtnbrook.org>

RE: March 25, 2019 Zoning Meeting

1 message

Sam Gaston <gastons@mtnbrook.org>
To: Paul Yacko <pyacko1@gmail.com>
Cc: Dana Hazen <hazend@mtnbrook.org>

Wed, Mar 20, 2019 at 11:01 AM

Thank you.

Sam S. Gaston
City Manager
City of Mountain Brook, AL.
56 Church Street
P.O. Box 130009
Mountain Brook AL. 35213
(205) 802-3803 Phone
(205) 870-3577 Fax

From: Paul Yacko [mailto:pyacko1@gmail.com]
Sent: Wednesday, March 20, 2019 10:58 AM
To: gastons@mtnbrook.org
Subject: March 25, 2019 Zoning Meeting

We would much need this meeting to be move to a later date because of spring break.

Thank you for your help in this matter,

Paul Yacko



Steve Boone <boones@mtnbrook.org>

Fwd: Request for the Postponement of Hearing - Proposed Amendment to the Zoning Ordinance

1 message

Dana Hazen <hazend@mtnbrook.org>

Mon, Mar 18, 2019 at 12:26 PM

To: Virginia Smith <wood967@aol.com>, Billy Pritchard <BillyP@pm-j.com>, Alice Womack <alicewomack14@gmail.com>, Lloyd Shelton <lcs@borlandcpa.com>, Phil Black <phil@ssbarch.com>, Stewart Welch <Stewart@welchgroup.com>, Whit Colvin <wcolvin@bishopcolvin.com>, Sam Gaston <gastons@mtnbrook.org>, Steve Boone <boones@mtnbrook.org>

FYI, and I have attached the corresponding materials which will be included in your council packet for March 25. Please let me know of any questions, thanks!

----- Forwarded message -----

From: Farough, Raheel M <rfarough@uabmc.edu>

Date: Mon, Mar 18, 2019 at 11:50 AM

Subject: Request for the Postponement of Hearing - Proposed Amendment to the Zoning Ordinance

To: gastons@mtnbrook.org <gastons@mtnbrook.org>, reidt@mtnbrook.org <reidt@mtnbrook.org>, Dana Hazen <hazend@mtnbrook.org>

Cc: ramagea1@yahoo.com <ramagea1@yahoo.com>, emartinsmith@hotmail.com <emartinsmith@hotmail.com>, deegrisham@gmail.com <deegrisham@gmail.com>, katherinemoak@hotmail.com <katherinemoak@hotmail.com>, kimsdesserts@aol.com <kimsdesserts@aol.com>, jprattat@aol.com <jprattat@aol.com>, skammerud@yahoo.com <skammerud@yahoo.com>, katie.roach.dudley@gmail.com <katie.roach.dudley@gmail.com>, raheelfarough@yahoo.com <raheelfarough@yahoo.com>, ak_palacios@yahoo.com <ak_palacios@yahoo.com>, khutcheson99@yahoo.com <khutcheson99@yahoo.com>, conradleon@att.net <conradleon@att.net>, corc7490@bellsouth.net <corc7490@bellsouth.net>, ginnybakken@gmail.com <ginnybakken@gmail.com>, caroline.harpole@gmail.com <caroline.harpole@gmail.com>, sdonna@hiwaay.net <sdonna@hiwaay.net>, elizabethanneronk@gmail.com <elizabethanneronk@gmail.com>, Elaineyeager05@gmail.com <Elaineyeager05@gmail.com>, kathymarable@yahoo.com <kathymarable@yahoo.com>, Alisonbryant710@gmail.com <Alisonbryant710@gmail.com>, laurabcarlson@bellsouth.net <laurabcarlson@bellsouth.net>, evie4219@yahoo.com <evie4219@yahoo.com>, shanapeagler@gmail.com <shanapeagler@gmail.com>, ashley@ashleymacs.com <ashley@ashleymacs.com>, virginia.volman@gmail.com <virginia.volman@gmail.com>, kfyearout@aol.com <kfyearout@aol.com>, abbybrown815@gmail.com <abbybrown815@gmail.com>, gracecoker1@gmail.com <gracecoker1@gmail.com>, bentley.sloan@gmail.com <bentley.sloan@gmail.com>, vatucker@gmail.com <vatucker@gmail.com>, morripe@gmail.com <morripe@gmail.com>, becca1@bellsouth.net <becca1@bellsouth.net>, marysusanj@gmail.com <marysusanj@gmail.com>, mbburson@yahoo.com <mbburson@yahoo.com>, saracothran@gmail.com <saracothran@gmail.com>, ericaccone@gmail.com <ericaccone@gmail.com>, pyacko1@gmail.com <pyacko1@gmail.com>, CollinsWise@hotmail.com <CollinsWise@hotmail.com>, chrystal.roesle@gmail.com <chrystal.roesle@gmail.com>, dsullivan24@gmail.com <dsullivan24@gmail.com>, lsmithsulli@gmail.com <lsmithsulli@gmail.com>, jaime.erdberg@gmail.com <jaime.erdberg@gmail.com>, marchmanS@gmail.com <marchmanS@gmail.com>, Davis, Jan <jdavis@uabmc.edu>, Bhatia, Ravi <rbhatia@uabmc.edu>, Jaime Erdberg <jaime@333lawyers.com>, Mark Erdberg <mark@333lawyers.com>, Wnonidez@gmail.com <Wnonidez@gmail.com>, MBStein@bellsouth.net <MBStein@bellsouth.net>, JinoPPp@gmail.com <JinoPPp@gmail.com>, MaryMFin@gmail.com <MaryMFin@gmail.com>, PMGrace0529@gmail.com <PMGrace0529@gmail.com>, Alfred.Kirkpatrick@icloud.com <Alfred.Kirkpatrick@icloud.com>, maria.S.Mcatee@gmail.com <maria.S.Mcatee@gmail.com>, Mrubered@yahoo.com <Mrubered@yahoo.com>, mmanary1972@gmail.com <mmanary1972@gmail.com>, SavageCJ@vestavia.k12.al.us <SavageCJ@vestavia.k12.al.us>, JulyVMr@gmail.com <JulyVMr@gmail.com>, HarveyTorman@gmail.com <HarveyTorman@gmail.com>, KKbornfree75@gmail.com <KKbornfree75@gmail.com>, Sreenan, Catherine M <ksreenan@uab.edu>, WBmoore1@gmail.com <WBmoore1@gmail.com>, JanetAAnderson@ME.com <JanetAAnderson@me.com>, BillMoates@mindspring.com <BillMoates@mindspring.com>, Onnanicholefrances@gmail.com <Onnanicholefrances@gmail.com>, becky.Bell49@gmail.com <becky.Bell49@gmail.com>, Lindsd1111@gmail.com <Lindsd1111@gmail.com>, Swalton.msi@gmail.com <Swalton.msi@gmail.com>, Starsell@aol.com <Starsell@aol.com>, Drewwright9@gmail.com <Drewwright9@gmail.com>, Gthomas@teksystems.com <Gthomas@teksystems.com>, Brenda0808@icloud.com <Brenda0808@icloud.com>, LisaSloanl@aol.com <LisaSloanl@aol.com>, LNKing4@aol.com <LNKing4@aol.com>, Jblainew@yahoo.com <Jblainew@yahoo.com>, Conrad Kussner <conradleon@yahoo.com>, Hunter Craig <hcraig@highlandassoc.com>, jsnider73@hotmail.com <jsnider73@hotmail.com>, Zach Peagler <zach@zjplaw.com>,

Amc@fountainrow.com <Amc@fountainrow.com>, mhumber001@hotmail.com <mhumber001@hotmail.com>, briggs.shreve@protective.com <briggs.shreve@protective.com>, jnbrakefield@bellsouth.net <jnbrakefield@bellsouth.net>, flyshop@earthlink.net <flyshop@earthlink.net>, deeagrisham@gmail.com <deeagrisham@gmail.com>, katharoo50@gmail.com <katharoo50@gmail.com>, cbjones89@gmail.com <cbjones89@gmail.com>, Rmlamberth@aol.com <Rmlamberth@aol.com>, DonManuel1231@gmail.com <DonManuel1231@gmail.com>, FloydBerman@Hotmail.com <FloydBerman@hotmail.com>, BrierForest@MSN.com <BrierForest@msn.com>, Martklin@mindspring.com <Martklin@mindspring.com>, Fred Diggie <freddiggie@gmail.com>, grezonzew@hotmail.com <grezonzew@hotmail.com>, Hafiz Chandiwala <HChandiwala@cgbcu.com>

March 18, 2019

City Council Members

Mayor, City of Mountain Brook

City Manager

Planning Commission Members

City Director of Planning, Building & Sustainability

Subject: Request for the Postponement of Public Hearing and Consideration of Proposed Amendments to Chapter 129 of the Code of the City of Mountain Brook as it pertains to Article X Professional District

Dear City Leaders:

We, the residents of the Overton Village community, appreciate the opportunity to provide comments on the above referenced matter. However, the scheduled date of the hearing, March 25, 2019, is not feasible for our community and the general residents of the City of Mountain Brook because most of us will be on family Spring break, starting March 22nd - March 31, 2019. We will not be able to exercise our civic duties on this important ordinance change.

We respectfully request that the City Council considers postponing this hearing to the next regularly scheduled meeting of the City Council.

Please forward to the addressees/city leaders. Thank you in advance for your consideration.

Sincerely,

Residents of Overton Village Neighborhood

Raheel M. Farough

Managed Care & Venture Support

UAB Health System

500 22nd Street South, Suite 506

Birmingham, AL 35233

phone: (205) 934-6230

cell: (205) 520-8726

fax: (205) 975-7888

rfarough@uabmc.edu

www.health.uab.edu

--

Dana O. Hazen, MPA, AICP

Director of Planning, Building & Sustainability

205/802-3816 phone

205/879-6913 fax

City of Mountain Brook

56 Church Street

Mountain Brook, AL 35213



City Council Packet Materials - Prof District Amendment - 20190325.pdf

1618K

ORDINANCE NO. 2044

AN ORDINANCE AMENDING ARTICLE X OF THE CITY CODE

BE IT ORDAINED by the City Council of the City of Mountain Brook, Alabama, that Article X of the City Code is hereby adding Section 129-50, and amending Sections 129-151 and 129-153 as follows:

Section 1.

“ARTICLE X. – PROFESSIONAL DISTRICT

Sec. 129-150. – Intent and purpose.

The Professional District is intended to provide appropriate-scaled buildings for professional offices. The district may be applied to sites which can establish an effective transition to adjacent residential neighborhoods.

Sec. 129-151. – Permitted uses.

(a) The uses permitted in Professional Districts shall be as follows:

- (1) Professional offices
- (2) Accessory structures customarily incidental to the uses permitted by this section 129-151.

(b) Conditions on Permitted Uses. All uses in the Professional District shall be conditional uses and shall only be permitted with prior written approval of the City Council. Conditional uses are uses which may be acceptable within the Professional District, based on specific circumstances and mitigating site design provisions that would eliminate the potential for these uses to otherwise have negative impacts on adjacent property or other uses in the vicinity. Therefore, they require special review to better determine if the circumstances and design provisions for the proposed use, when applied to a specific site, are sufficient to mitigate any potential negative impacts. Proposed conditional uses will be reviewed as to the following.

- i. Whether the use would disparately impact public parking in the area;
- ii. Whether vehicular or pedestrian circulation would be adversely impacted by the use;
- iii. Whether the use would adversely impact surrounding existing uses;
- iv. Whether the hours of operation or peak traffic times would adversely impact the surrounding properties and public streets.
- v. Whether sufficient landscape buffers exist or are proposed along any adjoining residential properties;
- vi. Whether existing or proposed exterior lighting is sufficiently designed so as not to spill onto adjoining properties.

(c) Any use established and permitted by right in the Professional District prior to March 25, 2019 shall be permitted to continue in the same location without regard to these provisions, provided that such use is not expanded. However, should such use be expanded, such expansion shall require prior written approval of the City Council per subsection (b) of this section.

(d) A Professional Office use established on or after March 25, 2019 and permitted after City

Council review and approval under subsection (b) of this section may be replaced by another Professional Office use if the zoning officer determines that there are non-material changes for the proposed professional use utilizing the criteria for review outlined in subsection (b). In the absence of such a determination, City Council review of the replacement use shall be required under subsection (b.)

Sec. 129-153. – Additional requirements and provisions.

- (a) **Service yards.** On any parcel on which a professional building is hereafter built, the construction of which is started after the effective date of this chapter, there shall be provided a service yard, the size of which shall be sufficient to serve the needs of the occupants of the building, and which shall be located at the rear of such office building. The service yard shall have access to a street, alley or driveway and shall provide adequate accommodations for the handling of waste and garbage and for the loading and unloading of vehicles. The service yard shall be paved with asphalt or concrete and shall be enclosed with an opaque wall or fence of permanent construction, at least six feet, but no more than eight feet, in height, and designed and constructed to conceal the service yard from visibility from outside such wall or fence. The entrance to the service yard shall be screened by a gate constructed of an opaque material, which gate must be at least six feet, but not more than eight feet, in height. No part of the service yard may be used to satisfy the offstreet parking requirements of this article.
 - (b) **Building setbacks.** Any professional office, the construction of which is started after the effective date, shall not be located closer to the front lot line than 35 feet, or the front line of the principal structure on the adjacent property located in a residential district, whichever is greater.”
2. **Repealer.** All ordinances or parts of ordinances heretofore adopted by the City Council of the City of Mountain Brook, Alabama that are inconsistent with the provisions of this ordinance are hereby expressly repealed.
 3. **Severability.** If any part, section or subdivision of this ordinance shall be held unconstitutional or invalid for any reason, such holding shall not be construed to invalidate or impair the remainder of this ordinance, which shall continue in full force and effect notwithstanding such holding.
 4. **Effective Date.** This ordinance shall become effective immediately upon adoption and publication as provided by law.

CERTIFICATION

I, Steven Boone, City Clerk of the City of Mountain Brook, Alabama, hereby certify the above to be a true and correct copy of an ordinance adopted by the City Council of the City of Mountain Brook, Alabama, at its meeting held on this 25th day of March, 2019, as same appears in the minutes of record of said meeting, and published by posting copies thereof on March 26, 2019, at the following public places, which copies remained posted for five (5) days as required by law.

City Hall, 56 Church Street
Overton Park, 3020 Overton Road

Gilchrist Pharmacy, 2805 Cahaba Road
Cahaba River Walk, 3503 Overton Road

City Clerk

**NOTICE OF PUBLIC HEARING
PROPOSED AMENDMENTS TO THE ZONING
ORDINANCE**

Notice is hereby given that at a regular meeting of the City Council of the City of Mountain Brook to be held on Monday, March 25, 2019, at 7:00 p.m., in the Council Chamber of the Mountain Brook City Hall located at 56 Church Street, Mountain Brook, Alabama 35213, the City Council will hold a public hearing to consider proposed amendments to Chapter 129 of the Code of the City of Mountain Brook as it pertains to Article X Professional District, a proposal that the City Council adopt an ordinance in words and figures substantially as follows:

ORDINANCE NO.

AN ORDINANCE AMENDING ARTICLE X OF THE CITY CODE

BE IT ORDAINED by the City Council of the City of Mountain Brook, Alabama, that Article X of the City Code is hereby adding Section 129-50, and amending Sections 129-151 and 129-153 as follows:

Section 1.

“ARTICLE X. – PROFESSIONAL DISTRICT

Sec. 129-150. – Intent and purpose.

The Professional District is intended to provide appropriate-scaled buildings for professional offices. The district may be applied to sites which can establish an effective transition to adjacent residential neighborhoods.

Sec. 129-151. – Permitted uses.

(a) The uses permitted in Professional Districts shall be as follows:

- (1) Professional offices
- (2) Accessory structures customarily incidental to the uses permitted by this section 129-151.

(b) **Conditions on Permitted Uses.** All uses in the Professional District shall be conditional uses and shall only be permitted with prior written approval of the City Council. Conditional uses are uses which may be acceptable within the Professional District, based on specific circumstances and mitigating site design provisions that would eliminate the potential for these uses to otherwise have negative impacts on adjacent property or other uses in the vicinity. Therefore, they require special review to better determine if the circumstances and design provisions for the proposed use, when applied to a specific site, are sufficient to mitigate any potential negative impacts. Proposed conditional uses will be reviewed as to the following.

- i. Whether the use would disparately impact public parking in the area;
- ii. Whether vehicular or pedestrian circulation would be adversely impacted by the use;

- iii. Whether the use would adversely impact surrounding existing uses;
- iv. Whether the hours of operation or peak traffic times would adversely impact the surrounding properties and public streets.
- v. Whether sufficient landscape buffers exist or are proposed along any adjoining residential properties;
- vi. Whether existing or proposed exterior lighting is sufficiently designed so as not to spill onto adjoining properties.

(c) Any use established and permitted by right in the Professional District prior to March 25, 2019 shall be permitted to continue in the same location without regard to these provisions, provided that such use is not expanded. However, should such use be expanded, such expansion shall require prior written approval of the City Council per subsection (b) of this section.

(d) A Professional Office use established on or after March 25, 2019 and permitted after City Council review and approval under subsection (b) of this section may be replaced by another Professional Office use if the zoning officer determines that there are non-material changes for the proposed professional use utilizing the criteria for review outlined in subsection (b). In the absence of such a determination, City Council review of the replacement use shall be required under subsection (b.)

Sec. 129-153. – Additional requirements and provisions.

(a) **Service yards.** On any parcel on which a professional building is hereafter built, the construction of which is started after the effective date of this chapter, there shall be provided a service yard, the size of which shall be sufficient to serve the needs of the occupants of the building, and which shall be located at the rear of such office building. The service yard shall have access to a street, alley or driveway and shall provide adequate accommodations for the handling of waste and garbage and for the loading and unloading of vehicles. The service yard shall be paved with asphalt or concrete and shall be enclosed with an opaque wall or fence of permanent construction, at least six feet, but no more than eight feet, in height, and designed and constructed to conceal the service yard from visibility from outside such wall or fence. The entrance to the service yard shall be screened by a gate constructed of an opaque material, which gate must be at least six feet, but not more than eight feet, in height. No part of the service yard may be used to satisfy the offstreet parking requirements of this article.

(b) **Building setbacks.** Any professional office, the construction of which is started after the effective date, shall not be located closer to the front lot line than 35 feet, or the front line of the principal structure on the adjacent property located in a residential district, whichever is greater.”

2. **Repealer.** All ordinances or parts of ordinances heretofore adopted by the City Council of the City of Mountain Brook, Alabama that are inconsistent with the provisions of this ordinance are hereby expressly repealed.

3. **Severability.** If any part, section or subdivision of this ordinance shall be held unconstitutional or invalid for any reason, such holding shall not be construed to invalidate or impair the remainder of this ordinance, which shall continue in full force and effect notwithstanding such holding.
4. **Effective Date.** This ordinance shall become effective immediately upon adoption and publication as provided by law.

At the aforesaid time and place, all interested parties will be heard in relation to the changes proposed by said ordinance.

For questions concerning the proposed zoning amendment, please contact:

Dana Hazen, AICP, MPA
Director of Planning, Building & Sustainability
205/802-3816
hazend@mtnbrook.org

CERTIFICATION

I, Tammy Reid, Administrative Analyst for the City of Mountain Brook, Alabama, do hereby certify that I have caused notice of the proposed amendment to the zoning ordinance and of public meeting thereupon set forth above to be published and provided in the manner specified by Article XXV, Sec. 12-431, of the Mountain Brook City Code. I further certify that I have posted said notice in four conspicuous places within the City of Mountain Brook, in the manner and within the time permitted by law, said places being:

Mountain Brook City Hall, 56 Church Street
Gilchrist Pharmacy, 2850 Cahaba Road
Cahaba River Walk, 3503 Overton Road
Overton Park, 3020 Overton Road

Tammy Reid
Tammy Reid, Administrative Analyst

3-7-19
tr